



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

Mr. James Etter  
Copper Ridge Landfill  
36 Elkhorn St.  
Welch, West Virginia, 24801

MAY 19 2011

Dear Mr. Etter:

This letter is in response to your request for CERCLA Off-Site Acceptability Determination for the Copper Ridge Landfill, Welch, West Virginia, 24801. This letter serves to inform you that the U.S. Environmental Protection Agency (EPA), Region III has made an affirmative determination under the CERCLA Off-Site Rule [40 CFR Section 300.440] for Copper Ridge Landfill.

On September 16, 1993, EPA amended the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 1 Part 300, by adding Section 300.440, now known as the Off-Site Rule ("Rule"). The Rule codifies the requirements contained in Section 121 (d)(3) of CERCLA, 42 U.S.C. Section 9612 (d)(3), and incorporated many provisions of EPA's former Off-Site Policy. The Rule establishes criteria and procedures for determining whether facilities are acceptable for the receipt of CERCLA waste.

The Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA must determine that there are no relevant violations or relevant releases at the facility. EPA has made this determination of acceptability for Copper Ridge Landfill based on a review of inspection documents and compliance history and documents from the West Virginia Department of Environmental Protection.

Should any new information affecting this determination be obtained in the future, EPA reserves the right to re-evaluate the acceptability of Copper Ridge Landfill in accordance with the Rule.

If you have any questions concerning this matter, please contact me at (215) 814-3159.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary Morton", is written over a horizontal line.

Gary Morton  
Regional Off-Site Coordinator

